

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

**DEUTSCHE BANK NATIONAL TRUST §
COMPANY, AS TRUSTEE FOR GSRPM §
MORTGAGE LOAN TRUST 2007-1 §
MORTGAGE PASS-THROUGH §
CERTIFICATES, SERIES 2007-1 §
v. §
DOROTHY M. WATTS and §
TED F. WATTS §**

NO. 9:14-CV-153

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE IN PART**

The court assigned this case on October 31, 2014, to the Honorable Zack Hawthorn, United States Magistrate Judge, for all pretrial matters and case management pursuant to General Order 14-10. Plaintiff Deutsche Bank National Trustee Company (“Deutsche Bank”), serving as trustee for GSRPM Mortgage Loan Trust 2007-1 Mortgage Pass-Through Certificates, Series 2007-1, originally filed this complaint against Defendants Dorothy M. Watts and Ted F. Watts on October 30, 2014. Doc. No. 1. The Watts have not entered an appearance or filed any responsive pleadings at any stage in this suit. Judge Hawthorn has entered a report (Doc. No. 25) to the court recommending this case be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for Deutsche Bank’s failure to prosecute. Shortly after Judge Hawthorn entered his report, Deutsche Bank entered a notice of voluntary dismissal (Doc. No. 26), indicating that it “no longer wishes to pursue its claims against Defendants,” and requesting the court dismiss its case without prejudice.

Accordingly, Judge Hawthorn’s report and recommendation is **ADOPTED** in part. Deutsche Bank’s complaint is **DISMISSED** without prejudice to its right to reassertion, pursuant

to Rule 41(a) of the Federal Rules of Civil Procedure. Each party shall bear its own costs. The Clerk of Court is directed to close this case.

So ORDERED and SIGNED this 12th day of April, 2017.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge